Title: Discussion on the Protection of Human Rights (Amendment) Bill, 2000.(Bill Passed)

14.28 hrs.

PROTECTION OF HUMAN RIGHTS (AMENDMENT) BILL

MR. CHAIRMAN : We will now go on to the Legislative Business − Protection of Human Rights (Amendment) Bill, 2000. I wish to tell the House that we have one hour allotted for this by the Business Advisory Committee.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO): Madam, on behalf of Shri L.K. Advani, I beg to move:

"That the Bill further to amend the Protection of Human Rights Act, 1993, be taken into consideration."

Madam Chairperson, this amendment is for a very very limited purpose, only to amend Section 40 of the Protection of Human Rights Act to make the staff and employees of the Human Rights Commission to avail the benefit of the Report of the Fifth Pay Commission and to give retrospective effect to them because there is no provision as such in the Act. Therefore, this amendment is sought.

MR. CHAIRMAN : It is nothing to do with human rights but it is only concerning the pay and salaries of the employees.

SHRI CH. VIDYASAGAR RAO: Madam, it is about the employees' rights.

Hon. Members are aware that the Protection of Human Rights Act, 1993 was enacted with a view to provide for the constitution of National Human Rights Commission, States' Human Rights Commission in the States and human rights courts for the better protection of human rights and for maters concerned thereto or incidental therewith. Section 41 of the Act provides that the Central Government may, by notification, make rules to carry out the provisions of this Act.

For implementing the recommendations of the Fifth Pay Commission it has become necessary to make applicable the Central Civil Services (Revised Pay) Rules, 1997 to the officers and staff of the National Human Rights Commission with retrospective effect, that is with effect from 1.1.1996. As there is no provision in the Protection of Human Rights Act, 1993 to give retrospective effect, it has become necessary to make an amendment to this Act to this effect.

Accordingly, the Protection of Human Rights (Amendment) Bill, 2000 was introduced in the Lok Sabha on 7.8.2000 for providing an enabling provision to make rules with retrospective effect.

Madam, with these words, I commend the Protection of Human Rights (Amendment) Bill, 2000 to this august House for consideration and passing.

MR. CHAIRMAN : Motion moved:

"That the Bill further to amend the Protection of Human Rights Act, 1993, be taken into consideration. "

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Madam, this piece of legislation is a very simple one and the object of it has been explained once again by the hon. Minister. We are fully supporting this Bill.

This is a Bill seeking to amend a piece of legislation which the Congress Government in 1993 brought in this House, possibly at an appropriate hour for the country, when throughout the world concern for the human rights had been voiced right from the floor of the United Nations to that of the respective national Parliaments. Madam, the Congress Party in power at that time under the leadership of Shri P.V. Narasimha Rao, consulting various political parties, considered it fit that Indian Parliament should also provide a legislation, namely, Protection of Human Rights Act and it was so passed in 1993. It is true that the Minister has found some anomalies in respect of protection of the interest of the staff in terms of the recommendations of the Fifth Pay Commission. We have nothing to say about that. We all share the concern of the hon. Minister.

But in respect of the scope of this legislation, I would only like to highlight a few points before the hon. Minister and, through you, before the entire House. In India, the National Human Rights Commission at the national level and the State Human Rights Commissions at the level of the respective States are functioning. Most of the top functionaries are retired judges of the Supreme Court or the High Courts. But I feel that a time has come when the Minister may kindly consider, at an appropriate hour, to augment the strength of the statute itself, having enough enabling provisions for the State Human Rights Commissions and the National Human Rights Commission, involving the

State Governments, to see whether this is enough to ensure and protect the human rights.

Madam, I give you a few examples which the hon. Minister may share. Go to any State, and you will find that the first casualty today is the dignity of the women. In the entire country, there is considerable harassment of women, both in terms of human rights as well as their dignity. Terrible cases are coming to notice. Even cases are not registered by the police due to influence of the influential people in the city or in the village if they are related to the dignity of women and their rights.

I referred a matter to the State Human Rights Commission of my State. It was pertaining to a place called Bhutani in the district of Malda on the banks of the Ganges. There is a *char,* a part of land covered by water. Could you believe in civilised India of today the existence of pirates who come and rob the women of fishermen who are the Scheduled Castes and the Scheduled Tribes, every year? In the last seven years, nine incidents have taken place. Everything was burnt. There was a police station nearby. The pirates' influence on the police was so high that they did not nab them. I gave the details of some cases in this House.

A woman became a victim of a protest in her locality. She was first molested and then raped by the influential people. She cried for help, but nobody came to her help. Some enthusiastic young workers of a social organisation brought her to the police station to lodge an FIR, but the police refused to register the case. The matter was referred to the Human Rights Commission.

I would request the hon. Minister to consider − it will enhance the prestige of the NDA Government and will also carry the real spirit of the human rights − to have one lady Sub-Inspector in every police station of India. There should be at least one lady Sub-Inspector. The kind of treatment given to the women in the police custody is terrible.

After 12 o"clock in the night, I cannot explain how the constables behave and the language they use because I treat women as mothers and sisters; for that matter, they are mothers and sisters to everybody. In Independent India, when we are talking about women -- we may have differences on the Women"s Reservation Bill. It is a different matter whether it is opposed by Shri Mulayam Singh"s Party or by some other party -- consider the dignity and the kind of treatment that the women get in police custody. When they go to a police station to lodge a complaint, why should it not be looked after by a woman Sub-Inspector? In every police station, throughout the country, we should have one woman Sub-Inspector, be she a Muslim, a Scheduled Caste, or a Scheduled Tribe woman, and I am not going to question their caste.

The women, especially in the villages, are afraid to go to a police station for two reasons. One of their fears is that they might be harassed. Secondly, when they come back after lodging the complaint, they fear that they might have to earn the wrath of the villagers. This is the plight of the women, especially the women belonging to the Scheduled Castes, the Scheduled Tribes and the minorities, throughout the length and breadth of the country, whether there is Congress Chief Minister or B.J.P. Chief Minister or anyone. Therefore, please consider this issue.

My next point is, "human rights" is a very nice word in parliamentary parlance or in seminars, symposiums or in international forums. What about the human rights of a bonded labour? We are discussing about abolishing the practice of bonded labour. We are talking about that group whose human rights have been suppressed in bondage. We are discussing as to how to release them. What kind of legislation, mechanism or planning could we evolve for these people? Let the NDA Government come out with a paper or a proposal before the entire House, and we, cutting across the party lines, shall declare that there should be no bonded labour in the new millennium.

I respect Swami Agnivesh very much. He is not a supporter of the Congress. He has been fighting, right from the beginning, for the dignity and human rights of the bonded labour.

Now, I come to the third point which is about the undertrial prisoners. How many States" figures have you got, Mr. Minister? If it is not the time to give the reply, then you can get the figures from your own agencies. Due to the influence of the influential persons, there are cases where the accused has not been taken to the court, as per the law of the land, within twenty-four hours. There are hundreds and thousands of cases in every State where the undertrials have not been brought before the court in time. What about their human rights?

If I am a citizen of India and if I am accused, then I should be produced before the court, and the trial should take place in time. There are cases where a detenu, Madam, was in jail when his child was born. The delay in the trial is such that a prisoner"s children might have grown up, got married , and yet, the prisoner"s trial has not begun. Cutting across the party lines, we should address this issue and show what we really mean when we talk about human rights.

A person may oppose the views of a political party, be it the Congress, the B.J.P. or any other party. Suppose, if he takes up any issue in public to defend the interest of the people, there are authorities in the country who harass him

till the end of his life. If he is fighting against corruption, then pressure would be brought to book him under various means and to pressurise him to keep out of the movement. Ruchika"s case is one example. There are several such cases. How will the Parliament address those issues? I know people who fought against corruption. What has happened to them at the end of the day? One of the glaring examples is that of Khairnar in Mumbai.

Shri Khairnar has come back now but is being threatened by Dawood's men for his very positive action against the promoters of illegal construction. The very human right of an honest officer is being questioned. There is no human right for a bonded labour. A bonded labour does not know whether India is free or is still under the British rule. He only knows that this is what his forefathers have been doing for generations and so he also is doing it. You can criticise the Congress Party saying that Congress ruled this country for over 40 years. I do not mind that. But have you been able to address this issue in the larger context?

Take the case of the politicians. I am not talking of those politicians who are involved in some scam. Take any politician of `A' Party or `B' Party who was involved in exposing some kind of a corruption. The authorities in the office treat their very deserving children in such a manner as if their fathers or sisters, whosoever was in public life, had committed a crime by being a public figure. I would not like to give more examples because the time is short and we also have agreed for one hour discussion on this Bill. My point is that the entire gamut of human rights in India has to be addressed in a different manner.

Madam, I am talking of the Kashmiri *pandits* There is unilateral cease-fire now in Kashmir. We all support the initiative of the hon. Prime Minister to bring peace in Kashmir. We are all with him so far as the issue of Kashmir is concerned. We want the end of terrorism in Kashmir and restoration of peace in the Valley. We do not want to score any political points on this. But the fact remains that the Kashmiri *pandits* who are out of the Valley and are rotting here and there, the prospects of their children, the future of their families and households, their cultivation have been totally shattered.

Madam, the Constitution guarantees so many things to the citizens.
The law of the country provides for so many things to its citizens. But we think that they are the victims of terrorism and we only sympathise with them. But we are not considering the issue of violation of human rights in their case. They also have the right to live peacefully and with authority. I agree that the Government cannot protect everybody. I have raised this issue of the Kashmiri *pandits* deliberately. I met a Kashmiri young men. He told me that his dream was to become an engineer and his sister aspired to become a computer engineer but they had to run from pillar to post for their survival itself. They did not know whether their lives would be protected or not. They came to Delhi and stayed in their relative's place for some time. Now, they are aged about 26 and 27 years and all their dreams have got grounded. I, being a public man, could not give them any answer as to what has gone wrong with our system and why we could not help them.

Madam, problems are often there − be it in the North-East or be it in Kashmir. One day a Naga girl, along with her father, met me. She said that because they opposed terrorism and extremism in Nagaland and because they wanted to stay in the mainstream, they were threatened that if the girl tried to go to any school or college, then she would be shot. No school or college in the region gave her admission because they took a position of this nature. The girl sought my help and asked if I could help her to get her a seat in some college either in Calcutta or Siliguri or in Delhi. They wanted to stay in India but they were in such a position where nobody was ready to give any guarantee for their lives. I met Shri Murli Manohar Joshi. I explained and argued her case. I am grateful to him that he responded to me and arranged for her education.

Madam, but the question is this. How many Priya Ranjan Dasmunsis, how many Somnath Chatterjees, how many Pramod Mahajans and how many Vidyasagar Raos will individually deal with such cases? It is not possible. Our approach to the entire issue of human rights should be such that anyone who is a victim has the right, as a citizen, to flourish and grow in the system. There should be an umbrella an in-built system where everybody could be protected so that the aspirations of the people could be fulfilled, otherwise, it would remain as a mere piece of legislation. Of course, the scope of this Bill is very limited. But I took advantage of this Bill to say all these things because there would be staff who would be working in the Human Rights Commission handling these papers. They could respond to these matters. Therefore, I would like to request the hon. Minister to take up these issues. I have also told these things to Shri Advani.

It would be the richest tribute paid by your Government to the women of the country. You take the credit for it. After consulting the State Governments - since it is a State subject - if you can enforce deployment of one lady Sub-Inspector in each police station, women in the country would have confidence in the system. They would have the confidence that when they are harassed, there is somebody to attend to them. Please do this. This is one of my appeals to you.

With these views and suggestions I support the legislation. I also request the Minister to take this up in the Cabinet

and come out with a comprehensive approach on the entire gamut of human rights.

श्री चिन्म्यानन्द स्वामी (जौनपुर) : यह संशोधन विधेयक इसलिए लाया गया है, क्योंकि 1993 में बने कानून में यह सुविधा नहीं दी गई थी कि मानवाधिकार आयोग के कर्मियों के वेतन भत्ते का क्या प्रावधान होना चाहिए, यह कमी रह गई थी। इस कमी के कारण ही इस संशोधन की आवश्यकता हुई। इस पर माननीय मुंशी जी ने जो विचार व्यक्त किए हैं, उनसे सदन और सदन के बाहर के लोग भी सहमत हो सकते हैं।

मानवाधिकार का प्रश्न थोड़ा व्यापक है और इसे इस सीमित विधेयक के अंतर्गत चर्चा का विय तो नहीं बनाया जा सकता, क्योंकि यह विधेयक कर्मियों के वेतन भत्ते को लेकर ही लाया गया है। आज जब हम वैश्वीकरण की ओर बढ़ रहे हैं तब जहां महिलाओं के, मजदूरों के बच्चों के हितों की बात मानवाधिकार के अंतर्गत आती है, वहीं लोगों के आर्थिक और सामाजिक अधिकारों के हितों की बात भी इसमें शामिल की जानी चाहिए। हम यह जानते हैं कि वैश्वीकरण के अंतर्गत कल दिनभर किसानों के बारे में चर्चा हुई है। मंत्री जी ने बंधुआ मजदूरों का उल्लेख किया, परन्तु उन खेतीहर मजदूरों के बारे में कोई चर्चा नहीं हुई जो असंगठित क्षेत्र हैं, जो खेतों में काम करते हैं। उनके साथ बड़े-बड़े फार्मर न्याय नहीं करते हैं। जो कारखानों और दुकानों में काम करते हैं उन्हें हम बंधुआ मजदूर कहते हैं, लेकिन लोगों के घरों में भी ये लोग काम करते हैं, ऐसे काम करने वालों की संख्या बहुत बढ़ी है। हम जब उनकी और दृटि डालते हैं तब यह देखने में आता है। ऐसे तमाम घरों में जो लोग काम करते हैं, वे अभी उम्र में व्यस्क नहीं हैं। वे छोटे-छोटे बच्चे हैं और शिक्षा से वंचित हैं। उनके स्वास्थ्य की ओर ध्यान नहीं दिया जाता है।

पिछले दिनों अखबारों में कई घटनाएं आईं। बिहार में एक घटना घटी, घर में काम करने वाले एक मजदूर बालक को उठा कर फेंक दिया गया। उसके हाथ-पैर टूट गए। इस तरह की घटनाएं आए-दिन होती हैं। उनकी तादाद बहुत ज्यादा है। आज तक किसी भी सरकार ने, मानवाधिकार ने उनके हितों की रक्षा के लिए कोई ऐसा प्रभावी कदम नहीं उठाया कि जो घरों में, दुकानों में, खेतों में काम करते हैं, जिनकी उम्र पढ़ने की, खेलने की है, अपने जीवन की आधारशिला को मजबूत करने की है, वे लोग रोजी-रोटी के लिए अपनी जिन्दगी के पहले चरण में ही अनेक विपदाओं और संकटों का सामना कर रहे हैं। मानवाधिकार आयोग प्रभावी ढंग से काम करे, इसके लिए इसे और भी सुदृढ़ करने की आवश्कता है। शायद सरकार की मंशा यही है, इसीलिए उन्हें कार्यसक्षम बनाने के लिए, उनकी कार्यक्षमता बढ़ाने की दृटि से यह संशोधन लाया गया है।

मैडम, मैं आपके माध्यम से सरकार से यह आग्रह अवश्य करूंगा कि जो क्षेत्र किसी संगठित मजदूर की सीमा में नहीं आता, किसी संगठन में नहीं आता, उनके लिए भी मानवाधिकार का रास्ता खोला जाए ताकि वे अपने अधिकारों की रक्षा करने के लिए गुहार लगा सकें, अपनी आवाज उठा सकें।

सभापति जी, इसके साथ-साथ कुछ बातें और भी हैं। आज चाहे नर्मदा बांध के विस्थापितों की बात हो या टिहरी पर बनने वाले बड़े बांध की बात हो। जो लोग डूब में आयेंगे, उनके अधिकारों की रक्षा कौन करेगा? गांव डूबेंगे, खेत डूबेंगे, उनकी दुकानें और उद्योग डूबेंगे तथा उनकी आस्था के केन्द्र भी डूबेंगे। योजनाओं के प्रचालक कहते हैं कि उन लोगों को कहीं पर खेत, कहीं पर दुकानें और कहीं पर रहने की जगह दे दी गयी है। लेकिन मेरा कहना है कि गांव की अपनी संस्कृति और धरोहर होती है जिसको आज बांट दिया गया है और उनका जो मूल रोजगार था वह गांव से टूट गया है। मैं समझता हूं कि सरकार को उन लोगों के अधिकारों की चिंता होनी चाहिए।

कश्मीरी पंडितों की बात माननीय दासमुंशी जी ने की है। अभी मैं चार राज्यों का दौरा करके आया हूं। आज स्थिति यह है कि वहां केवल मुख्य धारा में रहने वाले लोगों को ही मुख्यधारा में रहने की चिंता नहीं है, बल्कि जो दुकानदारी करते हैं, उद्योग धंधे में लगे हुए लोग हैं या जो मजदूरी करते हैं, जो इन्सर्जेंसी में लगे हुए लोग वसूली करते हैं उनसे उनकी सुरक्षा नहीं है। वहां की पुलिस और प्रशासन भी उनकी रक्षा या मदद नहीं कर पाता है। ऐसी स्थिति में उन राज्यों में कोई विशे व्यवस्था की जानी चाहिए। मुझे पता नहीं है कि उन राज्यों में मानवाधिकार आयोग का गठन हुआ है या नहीं। अगर नहीं हुआ है तो वहां भी मानवाधिकार आयोग का गठन होना चाहिए और वहां काम करने वाले मजदूरों, दुकानदारों ने उस राज्य की उन्नति में जो ईमानदारी से योगदान दिया है, उनके अधिकारों की भी रक्षा होनी चाहिए। अगर ऐसा होता है तो वहां लोग राट्र की मुख्यधारा में आयेंगे और उनके अधिकारों का संरक्षण होगा।

महिलाओं के अधिकारों की चर्चा माननीय दासमुंशी जी ने की है। आज ग्रामीण क्षेत्रों में स्थिति यह है कि महिलाओं की विपदाओं को सुनने वाला कोई नहीं है। अगर वे मुकदमा दर्ज कराना चाहती हैं तो मुकदमें दर्ज नहीं होते हैं। उसका एक कारण है। मैं सरकार से कहूंगा कि 1861-62 का पुलिस एक्ट 150 साल पुराना है और उसमें समय के अनुकूल संशोधन नहीं हुआ है। वह पुलिस अंग्रेजों की मदद के लिए बनाया गयी थी न कि यहां के आदमियों की मदद के लिए बनाई गयी थी। वह भारतीय नागरिकों के अधिकारों की सुरक्षा के लिए नहीं बनाई गयी थी। उस एक्ट में संशोधन नहीं हुआ है। उसका सहारा लेने पर भी पुलिस की ज्यादतियों से बचना मुश्किल होगा। सुरक्षा की जगह हम आये दिन देखते हैं कि पुलिस की ज्यादतियों से न जाने कितने लोगों की मौत होती है और जो अपनी तकलीफ कहना चाहते हैं उनकी सुनवाई भी नहीं होती है। अगर हम इस एक्ट पर विचार करने के लिए अपना मन बनाए तो मानवाधिकार का दायरा और भी मजबूत हो सकता है। मैं इस संशोधन का समर्थन करता हूं और सरकार से अपील करता हूं कि मानवाधिकार के दायरे को मजबूत बनाने के लिए और भी आगे कदम बढ़ाएं तो अच्छा है।

SHRI G.M. BANATWALLA (PONNANI): Madam, Chairperson, the Bill seeks to protect the interests of the employees. While supporting the Bill, I rise to make only a few points and observations.

I have to draw the attention of the House and the Government to the Constitution (Forty-fourth Amendment) Act. It was passed in 1978. The primary object of the Constitution (Forty-fourth Amendment) Act was to check the misery of the abuse of emergency powers and also to put right to life and liberty on more secure ground.

There is section 3 of this Constitution (Forty-fourth Amendment) Act, which deals with an important aspect of human rights. It deals with the question of right to life and liberty of the individual. It deals with the question of valuable safeguards to persons detained under the preventive laws. It is unfortunate that this section of the Constitution Amendment Act of 1978 has not yet been brought into force. I will not take the time of the House by giving the valuable safeguards with respect to preventive detention that are contained in this very important section. But till today, 22 years after the passing of this Constitution Amendment Act, this section has not been brought into force. In 1980, even Shri Atal Bihari Vajpayee, the present Prime Minister, had criticised the then Government very severely for failure to enforce this particular section of the Constitution Amendment Act.

In 1982, the Supreme Court observed that there were no practical difficulties in bringing this valuable amendment into force. The Court observed:

"It is not open to the Central Government to sit in judgement over the wisdom of the Parliament (to amend

Article 22)."

So, this House passes the Bill and the Bill becomes a law. But the notification is not issued by the Government to bring even such a valuable human right into force. I would appeal to the Government to see that the amendment is brought into force, as the Supreme Court has said, without any further delay.

We have a National Human Rights Commission. This Commission has suggested several important amendments. But the action from the Government for acceding to these suggestions through the amendment of the Act has not yet come forward. Let the Government be more responsive to the suggestions of the National Human Rights Commission.

The areas that need attention are three in number. First, the statute should define the National Human Rights Commission's role covering all fields of human rights with other Commissions including the State-level Commissions. Secondly, the National Human Rights Commission needs to have jurisdiction over the abuse of human rights by the Armed Forces.

15.00 hrs.

The then Chairman of the Human Rights Commission, Justice Verma has said:

> "Increasing complaints of violence by armed forces including paramilitary forces require inquiry of these complaints. "

But then, as we all know, as per Section 19 of the Protection of Human Rights Act, the Commission cannot directly investigate allegations of human rights abuse by the armed forces. It only acts as a post box. This is a very unsatisfactory situation. The Commission is faced even with this situation that the military authorities can even disregard the recommendations of the Commission. It is necessary that the Commission must have some prosecuting wing to be able to punish the guilty officials. However, the point is the extension of power of the Commission to look into effectively the question of abuse of human rights by armed forces.

The third area is concerning the United Nations Convention against torture and other cruel, inhuman and degrading treatment or punishment, held in 1984. So, there is this United Nations Convention against torture. On the recommendation of the National Human Rights Commission, the Government was kind enough to give a positive response. I thank the Government for the positive response. As a result of the positive response, our Permanent Representative in the United Nations signed the Convention, I believe, on the 14th of October 1997. I give this date as 14th October 1997, subject to correction. But around that date, he signed it. But after the signature, the Convention has not yet been ratified. The National Human Rights Commission is asking for the ratification of the signing of this UN Convention against torture by the Government and by this House, I hope, it would receive due attention.

Before I conclude, I must say that the National Human Rights Commission was established way back in 1993, particularly when the police earned notoriety for brutal excesses. It became very notorious at that point of time for its brutal excesses. But the situation still continues today. The National Human Rights Commission says that the police are wanting in observing the directions and the guidelines given by the National Human Rights Commission with respect to the police actions from time to time.

Even the Supreme Court of India in a recent case has given directions on interrogations and the custody of suspects. These must be observed meticulously. The Commission has emphasised proper training of police on human rights, scientific interrogation, accountability for barbaric actions by the police, judicial monitoring of conditions in lock ups and jails, enforcement of the recommendations of the National Police Commission, the mandatory impartial inquiry in cases of excessive violence, death, and rape in judicial custody and so on.

Madam, Chairperson, last but not least, the Commission itself has to become a little more active. It must take cognizance of the findings of the various reports of the judicial commissions. Whenever a report of the judicial commission comes out and if there are mentions of gross abuse of human rights by the law- enforcing agencies, then the Commission must take *suo motu* cognizance of the same and proceed in this matter. I need not emphasise the question of implementation of the Srikrishna Commission Report and the role of the law- enforcing agencies, the police etc. I may not refer to the judicial reports and the reports of the CID, the Intelligence Bureau etc., with respect to the violence in Malliana and Hashimpura in Meerut. I may not refer only to the question of Bhagalpur Report and the report of the judicial commission over there. But then they are all lying and gathering dust.

I make a forceful plea that the Government should take up the matter with the National Human Rights Commission.

Let the Human Rights Commission by itself take notice of all instances of violation of human rights and see to it that justice is granted.

There is also a question of State Human Rights Commission. Today the position is that some of them do not have the necessary infrastructure. The State Human Rights Commission do not even come out with Annual Reports. These are matters that have to be taken into consideration. Some of the States are not even prepared to set up Human Rights Commission. Let the Government take up these matters and move in this direction.

With these few observation, I support the move to protect the rights of the employees.

SHRI A.P. ABDULLAKUTTY (CANNANORE): Respected Chairperson, I rise to support this Bill. The present amendment is only for a limited purpose, namely to give retrospective effect to the wage increase. I support this move. At the same time I am of the view that Commission's functions should be made more effective. It appears that their orders are only advisory in nature. The *dalits* and weaker sections suffer much. The Human Rights Commission will have to take up the matter seriously. The staff strength is very less. Hence the delay in taking prompt actions. Recently, there have been violations of human rights in the nature of sexual harassment against a woman. This could not be effectively remedied by the Commission. The Commission's powers have to be enlarged. Many of the decisions of the Commission could not be implemented for want of authority. Harassment against weaker sections is also on the increase. Effective steps have to be taken by the Commission. The power of the Commission should be increased. The State Government will have to take action on the recommendations of the Commission. It is a time consuming affair.

Madam, I, therefore, strongly plead that in the present condition the power of the Commission requires change. With these words, I support the Bill.

SHRI P.H. PANDIYAN (TIRUNELVELI): Madam Chairperson, I support the Bill but at the same time I would like to express my views on human rights.

Human Rights are inalienable. Article 21 of the Constitution of India clearly spells out that no person shall be deprived of his life and liberty except according to the procedure established by law. Is this procedure being followed by the Government? In 1973, the Indian Penal Code (Amendment) Bill was passed in Rajya Sabha but it lapsed with the dissolution of Lok Sabha. Since then, that Bill has not been introduced in this house. What was that Bill about? That was to rationalise the discretion in the hands of the judicial officers to impose sentence. Under what circumstances they can exercise this discretion has been spelt out in the Indian Penal Code (Amendment) Bill, 1973. By introducing that Bill, the Government of India will be streamlining, rationalising and at the same time limiting the judicial discretion of certain individual judicial officers.

I would like to stress on another point. Death penalty is irrevocable. The Minister knows it. India is a party to the United Nations Covenant on the abolition of death penalty. The Government has signed a treaty but till now it has not been removed from the statute book of Indian Penal Code. In 1982, the Supreme Court Justice P.N. Bhagwati, in a dissenting judgement had struck down section 302 as unconstitutional saying that imposition of death penalty is illegal, *ultravirus*, inhuman, irrational and irrevocable. But while passing that judgement he had cited an instance where the Human Right violation was evident. The Judge had said in Page1357, 1982, Bachchan Singh *vs* the State of Punjab,

"Three persons, Harbans Singh, Chita Singh and Kashmira Singh were charged for murder and were convicted by the Punjab and Haryana High Court and sentenced to death. They filed an appeal before the Supreme Court. In general, first three appeals were dismissed. Later, an appeal filed by one of the deteneus was heard by one bench and it was admitted to the limit of sentence and consequently death sentence was reduced to life sentence. "

The same thing happened in another case. Another accused moved the Supreme Court for the same relief and he was given that relief. But while calling for the records in respect of other accused, three were charged for the same murder, he was executed. Justice Bhagwati had said that it is a judicial vagary. So, inaction on part of the Central Government to introduce that Bill in the Lok Sabha has claimed a number of lives till today. There is no guideline to exercise the discretion. So, in the judgement Justice Bhagwati had asked for supply of guidance by this Parliament. We have to supply those guidelines at least in this year.

Now, I want to cite another example wherein human rights are invariably violated. Suppose a person is charged, convicted and confirmed by the High Court. After that he moves the Supreme Court. The Supreme Court insists on the production of a surrender certificate for bail. Suppose the person is sentenced for 15 days. If he wants a bail, he would have to serve the sentence. He has to go to jail and then apply for bail. So, before the final hearing, he would serve the whole sentence. So, a legislation should be brought out by the Union Government to dispense with the condition of producing surrender certificate. I would say that the Government has to act quickly on these two

aspects so that the human rights can be safeguarded.

I would say that the right to life includes the right to live, right to shelter, right to food, and right to clothing. These are the basic rights of mankind. Magna Carta has given these rights to us. The United Nations Charter has given these rights. These rights are inalienable. So, I rise on this occasion to caution the Government to safeguard the basic rights of all the human beings in the whole country. You supply food to them, you give them shelter, and you do not evict them except through due process of law. It appeared in all newspapers that the Delhi Municipal Corporation has sealed all the polluting units in Delhi.

I would like to add that in the case of life sentence, it takes about 5-6 years in the High Court to hear an appeal. Suppose a person is denied a bail, he has to be in jail for years. If he is acquitted after the final hearing, he cannot be compensated. The damage done cannot be undone. On that score, there are a number of human rights violations. Only at this point of time, we can raise this issue. You provide shelter, provide clothing, provide a place for business, and give them occupation. These are the basic rights which the Government must give instead of creating the National Human Rights Commission to look after these *lathi* charges and all that.

I would say that there should be an enactment to ban the third-degree method under the Criminal Procedure Code. The Criminal Procedure Code says that a minimum force can be exercised by a policeman. What is the minimum force? It is not defined in the Criminal Procedure Code. So, I would say that you must supply all these guidelines in a new legislation. Thank you very much.

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : सभापति महोदया, मानव अधिकार संरक्षण (संशोधन) विधेयक, 2000 पर बहस चल रही है। इसके उद्देश्यों और कारणों के कथन को देखने से पता चलता है कि सन् 1993 में जो विधेयक बना था, उसके रूल इन्होंने सन् 2000 ई. में बनाये हैं। रूल बनाने में सात वर्ा की देरी की है जबकि इसकी अधिसूचना पहले ही जारी कर दी थी।

1519 बजे (श्री पी.एच. पांडियन पीठासीन हुए)

उसके बाद पंचम वेतन आयोग की रिपोर्ट में जब अधिकारियों व कर्मचारियों के लिए 1996 से वेतन भत्ता लागू करने का विचार हुआ तब विभाग को महसूस हुआ कि इस तरह का कोई रूल नहीं है कि इसको भूतलक्षित प्रभाव से लागू किया जा सके। भूतलक्षित प्रभाव से लागू करने के लिए यह नियम बनाने की इजाजत चाहते हैं, तदनुसार यह अमैंडमैंट ला रहे हैं। मैं कहना चाहता हूं कि ह्यूमन राइट्स का क्या

होगा ? 1993 के बाद सात वर्ा में रूल बना और वह भी ऐसा बना कि उसमें भूतलक्षित प्रभाव लिखने को छूट गया तब इसे लिखने के लिए यह एक संशोधन फिर से लाये हैं। इस देश में मानव अधिकार का क्या होगा जिसमें नियम बनाने में इस तरह से भूल, त्रुटि या गड़बड़ी होती है ?

हमको शुबहा था कि पता नहीं कब ह्यूमन राइट प्रोटेक्शन कानून में संशोधन आएगा, अब आया है, लेकिन एक लाइन का आया है।

> "Prime Minister Mr. Vajpayee on Friday said, his Government would enact a legislation to strengthen the legal framework of the protection of human rights."

छः महीने पहले का प्रधान मंत्री जी का बयान है। प्रधान मंत्री जी ने कहा कि हम ह्यूमन राइट्स के कानून को और मजबूत करेंगे। लेकिन एक लाइन का लाए हैं और इसकी कमी को, ढिलाई को छिपाने के लिए लाए हैं। लेकिन प्रधान मंत्री जी ने जो बयान दिया, उसका क्या होगा ? देश में मानवाधिकार की क्या स्थिति है। वैसे कहने को तो राट्रीय मानवाधिकार आयोग है। किसी-किसी राज्य में बना ही नहीं है, कब बनेगा, पता नहीं। पिछले तीन वर्ाों की रिपोर्ट है कि 1143 आदमी कस्टडी में

मर गए। ऐसा हो रहा है। कहीं पुलिस के द्वारा जुल्म तो कहीं जुल्मियों के द्वारा जुल्म। मजदूरों पर तो जुल्म ही हो रहा है। बिहार से नार्थ-ईस्ट, सिक्किम वगैरह में लोग मजदूर ले जाते हैं। उनसे काम लेते हैं और जब वह अस्वस्थ हो जाए या काम के लायक नहीं रहे तो उसे छोड़ देते हैं। उनके ह्यूमन राइट का क्या होगा। मानवता का अधिकार जब देश में सभ्यता बढ़ी, तब से हुआ कि यह अधिकार मिलना चाहिए और मनुष्य को संरक्षण मिलना चाहिए। अनह्यूमन बिहेवियर किसी के साथ न हो, लेकिन हम देखते हैं, माइनोरटीज के साथ, बच्चों के साथ, महिलाओं के साथ, दलितों के साथ यह हो रहा है।

श्री थावरचन्द गेहलोत (शाजापुर) : आपकी सरकार डेढ़ साल रही, आपने क्या किया ?

MR. CHAIRMAN : Please resume your seat.

SHRI THAWAR CHAND GEHLOT (SHAJAPUR): He has agreed.

MR. CHAIRMAN: He cannot agree. I should agree. It is not between you two. You have to advise the Chair. When you get your turn, you speak.

श्री थावरचन्द गेहलोत : मैं आपसे निवेदन करता हूं ताकि उनकी गलती तो याद दिला दूं। इसलिए कृपया एक मिनट दे दें। उन्होंने एक्ट में संशोधन क्यों नहीं किया।

MR. CHAIRMAN: You may please address the Chair.

डा. रघुवंश प्रसाद सिंह : हमारे भाण को जमाने के लिए ये टोकते हैं, जिससे हम इनकी असलियत बता सकें।

श्री थावरचन्द गेहलोत : आपको मौका मिला और आप सोते रहे।

MR. CHAIRMAN: Kindly resume your seat. You cannot speak like that. No Member can address another Member directly. It is improper.

श्री थावरचन्द गेहलोत : पांचवे वेतन आयोग की सिफारिशें इनकी सरकार ने लागू की थीं।

डा. रघुवंश प्रसाद सिंह : प्रधान मंत्री जी ने छः महीने पहले बयान दिया, उसका क्या हुआ, वह कब लागू होगा, क्या यह ढपोलशंखी बयान है ? इसलिए जब हम हमला करते हैं तो ये चिल्लाते हैं।

श्री थावरचन्द गेहलोत : आपने कोई ध्यान नहीं दिया, सोते रहे।

MR. CHAIRMAN: It is not according to the Parliamentary procedure. You must hear a Member. When you get your turn, you may speak or another Member of your party can speak.

डा. रघुवंश प्रसाद सिंह : सभापति जी, हम देख रहे हैं कि इस राज में ह्यूमन राइट, फैंडामेंटल राइट सब को खतरा है। आज ही हजारों मारुति उद्योग के कर्मचारी अपने परिवार सहित जंतर-मंतर पर धरना दे रहे हैं। पिछले डेढ़ महीने से वे धरना दे रहे हैं, प्रदर्शन कर रहे हैं। उनको कहा जाता है कि आप लिख कर दो कि आंदोलन नहीं करेंगे, धरना नहीं देंगे। क्या यह ह्यूमन राइट और फैंडामेंटल राइट का हनन नहीं है ? इस वजह से मारुति उद्योग को कई हजार करोड़ रुपए की हानि हुई है। कोई मंत्री बोलता है कि हम इसे बेचेंगे, तो दूसरा कहता है नहीं बेचेंगे। कोई कहता है कि समझौता करेंगे और दूसरा कहता है कि नहीं करेंगे। मजदूरों, कामगारों के अधिकारों को खतरा है। इन सभी पर हमला हो रहा है। इसलिए जो रूल वाला विधेयक लाए हैं, यह एक लाइन का है।

जो कानून आज बनाएंगे, उसे भूतलक्षी से लागू करेंगे। भूतलक्षी वाले में बराबर संदेह होता है। कानून आज बना रहे हैं और कहते हैं कि भूतलक्षी से इसे लागू करेंगे। कानून आज बने और भूतलक्षी से लागू हो तो यह बड़ी खतरनाक बात होती है। कानून आज बनाया जाये और लागू पहले से कर दिया जाये। ऐसा करना खतरनाक बात होती है।

नेशनल ह्यूमन राइट्स कमीशन की बराबर रिपोर्ट आती रहती है और जहां तहां मामला धर-पकड़ होता रहता है। कहीं किसी मामले में सजा-जुर्माना भी होता है। मेरा एक सुझाव है कि ह्यूमन राइट्स कमीशन की जानकारी लोगों को होनी चाहिए और कमजोर वर्ग, दबे हुए और शोषित लोगों को ह्यूमन राइट्स कमीशन का प्रोटैक्शन मिलना चाहिए लेकिन कहीं-कहीं हम देखते हैं कि ह्यूमन राइट्स का दुरुप्योग भी होता है। कहीं-कहीं पर अपराधी, जुल्मी ह्यूमन राइट्स कमीशन में पैटीशन दे देते हैं कि हमारी हिफाजत करो और जिस निर्दोष का जो आतंकवादी कत्ल करता है तो वही आतंकवादी ह्यूमन राइट्स कमीशन का सहारा ले लेता है। इसीलिए मैं सरकार को सावधान करना चाहता हूं और कहना चाहता हूं कि निर्दोष, बेकसूर, कमजोर, शोषित वर्ग, मजदूर, महिला-बच्चे, बाल विधवा, बाल मजदूर आदि के ह्यूमन राइट्स को प्रोटैक्शन मिलना चाहिए तथा साथ ही सरकार को यह भी देखना चाहिए कि ह्यूमन राइट्स कमीशन का दुरुप्योग न हो। कहीं कोई अपराधी, जुल्मी ह्यूमन राइट्स कमीशन के अन्तर्गत बचाव न पा जाये। इसीलिए मैं सरकार को सावधान करना चाहता हूं कि जो कानून बने तो वह सही ढंग से लागू भी हो। हजारों लोग जो धरना दे रहे हैं, उनके बच्चों के हितों का क्या होगा, उनके ह्यूमन राइट्स की तरफ भी सरकार को ध्यान देना चाहिए।

श्री मुलायम सिंह यादव (सम्भल) : सभापति जी, मैंने यह देखा कि जो बहस हो रही है, उस बहस में सभी नेता और साथी जो बातचीत रख रहे हैं, उसका इससे कोई मतलब नहीं है। सेवा-नियमावली के उद्देश्यों और कारणों पर बहस हो रही है। इसमें राष्ट्रीय मानव आयोग की सेवा नियमावली पर केवल आया है। वह एम.डी. साहब की रिपोर्ट है। जो बहस हमारे साथी कर रहे हैं, यह बेमतलब की बहस होगी। अगर गृह मंत्री जी तक यह बात कोई पहुंचा दें तो बहुत अच्छा रहेगा कि असली बहस यह है कि राष्ट्रीय मानवाधिकार आयोग का लक्ष्य है कि मूल अधिकारों के हनन से कैसे बचा जाए या संसद नहीं बैठी है या संसद में जब अवसर नहीं आता है तो जो मानवाधिकार हमें संविधान में दिये गये हैं तो उनकी रक्षा कैसे हो सके। विशेकर कमजोर लोगों के अधिकारों की, चाहे वह महिलाओं या माइनॉरिटी या पिछड़े वर्ग के लोगों के अधिकारों का प्रश्न हो और चाहे ऊंची जाति के भी कमजोर हों जिनकी पहुंच नहीं है, उनके अधिकारों की रक्षा कैसे हो, मानवाधिकार आयोग का यह लक्ष्य है लेकिन सेवा-नियमावली को लाने की जरूरत ही क्या थी? अगर यह केवल राष्ट्रीय मानवाधिकार आयोग को मजबूत बनाने के लिए है तो इसके लिए तो उसे अधिकार दे देना चहिए था कि अपनी सेवा नियमावली बना लो। तब उस समय तो लगता है कि उसे अधिकार दिया जा रहा है। इसके लिए लोक सभा में

इसकी बहस की कोई आवश्यकता नहीं थी। सीधे-सीधे प्रस्ताव पास करके उसको अधिकार दे दिया जाता लेकिन अब तो माइनॉरिटी आयोग, महिला आयोग, बैकवर्ड कमीशन और एससीएसटी कमीशन भी हैं। कितना बड़ा भ्रम है।

यह कितना बड़ा कन्फ्यूजन है। एक तरफ हम राट्रीय मानव आयोग के पास शिकायतें लेकर जाते हैं और आयोग इस समस्या को भी देख रहा है। यह जो टकराव है, इसके बीच का कहीं कोई रास्ता नही है। इसलिए संसदीय कार्य मंत्री जी इसको शक्ति प्रदान करने के लिए अलग से संशोधन लाना चाहिए, ताकि उसकी शक्ति और हैसीयत रहे। मैं आपको एक उदाहरण देना चाहता हूं। चीफ जस्टिस आयोग के अध्यक्ष रहेंगे। कम से कम एक दर्जन बार हम आयोग के पास गए हैं, लेकिन आज तक एक भी नतीजा कहीं कोई नजर नहीं आया है। हम सदन को यह जरूर विश्वास दिलाते हैं कि शत-प्रतिशत सच बात होती है, तब ही कोई वहां जा सकता है, वरना जाने की कोई जरूरत नहीं है। मैं सदन को बताना चाहता हूं, कोई दल की बात नहीं है, एक दर्जन मामलों में, मानवता की बात हो या मौलिक अधिकार की बात हो, सभी दलों की सहमति थी, इसलिए कई दलों के लोग हमारे साथ गए थे। वहां मानव अधिकार आयोग के सदस्य को भेजा गया, लेकिन रिपोर्ट पर कोई कार्यवाही नहीं होती है। कलैक्टर और एसपी की बात छोडिए, थानेदार ने भी उस पर अमल नहीं किया, तहसीलदार ने भी अमल नहीं किया और यहां तक कि लोकपाल ने भी अमल नहीं किया। इसलिए हमारी मांग है कि इस बारे में अलग से संशोधन लाना चाहिए। ऐसी भी होता है, सार्वजनिक जीवन में काम करने वाले लोगों के खिलाफ शत्रुता निभानी हो, एक झूठी दरख्वास्त देकर काम किया जाता है। आजकल महिलाओं पर अत्याचार रोज हो रहे है। अब ऐसा समय नहीं रहा है कि कमजोर वर्गों पर ही अत्याचार हो रहे हैं, अब उच्च जाति के लोगों पर पर अत्याचार हो रहे हैं।

महोदय, आपने तीन मिनट का समय दिया है, इसलिए मैं कहना चाहता हूं कि कम से कम आप इसमें यह संशोधन लायें। मैं इस परिस्थिति में इसको उचित नहीं समझता हूं। मैं सदन को बताना चाहता हूं, 1998-99 में 22043 शिकायतें देश भर में हैं, जिनपर कार्यवाही करने के लिए निर्देश दिया गये। मैं केवल उत्तर प्रदेश की बात नहीं कह रहा हूं। बिहार में भी यही स्थिति है. हर प्रदेश में यही हालत है। लेकिन वास्तविकता है कि एक भी आजतक कार्यवाही नहीं हुई है। इसलिए हमारी मांग है कि इसको शाक्तिशाली बनाने के लिए एक अलग से संशोधन लायें। सेवा नियमावली में नेता उलझकर रह न जायें। हम चाहते हैं कि आयोग को प्रभावी ढंग से गठित किया जाए। चीफ जस्टिस उसके अध्यक्ष हैं, उन पर हमें विश्वास है, वे पानी का पानी और दूध का दूध करेंगे और ऐसा होना चाहिए कि सरकार उस पर कार्य वाही करे।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूं।

SHRI RAMESH CHENNITHALA (MAVELIKARA): Mr. Chairman, Sir, I also want to speak on this Bill. Kindly allow me.

MR. CHAIRMAN : The time allotted for this Bill was one hour and it is over now.

The Minister has started.

...(*Interruptions*)

MR. CHAIRMAN : The time allotted by the Business Advisory Committee is only one hour.

...(*Interruptions*)

SHRI RAMESH CHENNITHALA : Sir, only one or two speakers are there.

MR. CHAIRMAN: We have exhausted one hour.

SHRI RAMESH CHENNITHALA : It can be extended.

MR. CHAIRMAN: You have the freedom of speech, subject to the Rules of Procedure.

SHRI CH. VIDYASAGAR RAO: Mr. Chairman, Sir, I am thankful to hon. Members, Shri Priya Ranjan Dasmunsi, Shri Chinmayanand Swami, Shri G.M. Banatwalla, Shri A.P. Abdullakutty, Dr. Raghuvansh Prasad Singh and yourself. The hon. Members have supported the Bill. I am thankful to them. I am also thankful to the other hon. Members. Though they have not participated, I am sure that they are going to extend their support.

In these speeches, I fully agree with Shri Dasmunsi and all other hon. Members who have highlighted the rights of the human beings. It mostly pertained to women, child labour, agricultural labour and also the land oustees of the Narmada Project. Many suggestions have been given. They had highlighted the cases where human rights were infringed upon.

Besides that, certain constitutional provisions have been cited by you and Shri Banatwalla. A number of decisions of various Commissions have also been cited. The Government have taken note of all the suggestions. These will be kept in mind while deciding the various issues. ...(*Interruptions*)

MR. CHAIRMAN: No, no; you cannot put a question.

SHRI RAMESH CHENNITHALA : I can ask a question. What is this?

SHRI CH. VIDYASAGAR RAO: I am coming to the subject.

MR. CHAIRMAN: He is giving the reply.

SHRI RAMESH CHENNITHALA : You were also asking the questions when you were sitting here. It is very bad.

MR. CHAIRMAN: Do not say like that.

...(*Interruptions*)

MR. CHAIRMAN: The Minister is replying.

SHRI CH. VIDYASAGAR RAO: I have not completed it. So far as the Human Rights Commission and various Commissions to be set up in the States are concerned, as the hon. Members are well aware, it is a subject of the State Governments. As per the Seventh Schedule of the Constitution of India, we will be advising the State Governments at various levels.â€¦(व्यवधान)

श्री मुलायम सिंह यादव : सभापति जी, अगर यह राज्य सरकार का बहाना लेकर लाए हैं तो यहां क्यों लाए हैं।â€¦(व्यवधान)

श्री सीएच. विद्यासागर राव : यह तो सरकार के पास है।â€¦(व्यवधान)

श्री मुलायम सिंह यादव : अगर आप कहते हैं कि यह सरकार के पास है तो यह क्या बात हुई? â€¦(व्यवधान) हमेशा बहानेबाजी की। अगर सच बोलोगे तो सरकार की छवि अच्छी होगी और घुमा-फिरा कर बोलोगे तो छवि खराब होगी। हम भी सरकार में रह चुके हैं। इसलिए आप सच बोलो।

SHRI CH. VIDYASAGAR RAO: So far as infringement of the human rights is concerned, there have been a number of police cases. Though the complaints were given but allegedly no action had been taken by the Police. The women police are to be deployed in certain police stations. These are the suggestions. This definitely is a matter concerned with the State Governments. I wanted to say it only to that extent.

So far as the Bill is concerned, after the Fifth Pay Commission, the Government wanted to apply this to the employees of the Human Rights Commission by way of a Notification. But when we tried to solve this problem by a Notification, the Ministry of Law had said that there was no provision. Unless Section 40 is amended, it cannot be carried out. Therefore, this Amendment has been brought forward before the House. As Dr. Raghuvansh Prasad Singh has said, it is not that the salaries are not being paid up till now. It is not so. So far, they are not availing of the benefits of the Fifth Pay Commission. वह सिर्फ एक साल का है। 1996 से सब सैलेरी ले रहे हैं। सिर्फ एक साल का इश्यू है। Only for one year, the retrospective effect is being given. It is not that the Department is continuously sleeping over the subject.

So far as the setting up of State Human Rights Commission by the respective State Governments are concerned, ten State Governments have set up State Human Rights Commissions and other States are also considering setting up of the State Human Rights commissions. The Government of India is continuously pursuing it with the respective State Governments.

So far as Bihar is concerned, we have been continuously writing to the Bihar government to set up the State Human Rights Commission, but they are not setting it up. If Shri Raghuvansh Prasad Singh takes the initiative, it will be helpful to most of the people of Bihar also as their human rights cannot be infringed upon then.

Regarding the United Nations Convention against Torture, definitely we are a signatory to it...(*Interruptions*)

श्री रामजीलाल सुमन (फिरोजाबाद) : इस बारे में भारत सरकार क्या कर रही है वह बताएं?

MR. CHAIRMAN : Let the hon. Minister finish his reply.

SHRI CH. VIDYASAGAR RAO: Sir, the Government is considering for the ratification of this convention. As hon. Shri Mulayam Singhji has rightly put it, this Bill is confined only with regard to the extension of this facility to the employees. All the Members have already supported it. So far as the suggestions are concerned, these will be taken up by the Government at the appropriate level.

With this, I request the hon. Members to pass the Bill.

डा. रघुवंश प्रसाद सिंह : सभापति जी, इन्होंने कहा कि बिहार में मानवाधिकार आयोग नहीं बना हुआ है। प्रश्न संख्या 1919 देखें

> "As per the available information, the State Governments of Assam, Himachal Pradesh, Jammu & Kashmir, Kerala, Madhya Pradesh, Manipur, Punjab, Rajasthan, Tamil Nadu, West Bengal and Bihar have set up State Human Rights Commission."

कैसे आपने कहा कि मानवाधिकार आयोग नहीं है। आपका कौनसा उत्तर सही है? यह सही है या आप सही हैं। आप बिहार के साथ इंसाफ तो करिये।

MR. CHAIRMAN: Right.

SHRI CH. VIDYASAGAR RAO: Sir, as per the information received by me, subject to correction, I am submitting it...(*Interruptions*)

MR. CHAIRMAN : The hon. Minister has said that it is subject to correction.

Motion moved:

"That the Bill further to amend the Protection of Human Rights Act, 1993, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House shall now take up clause by clause consideration of the Bill.

The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, Enacting Formula and the Title were added to the Bill.

SHRI CH. VIDYASAGAR RAO: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.